

State Of Washington
Department Of Ecology
Shorelands and Environmental Assistance Program

Coastal Zone Management
Section 306, 306A, 309 and 6217 Grant

Federal Fiscal Year 2000
Grant Award No. NA07OZ0137

Section "A"

Performance Report
For the period January 1, 2001 through June 30, 2001

2nd Semi-Annual Report

July 2001

Washington Shorelands & Environmental Assistance Program
FFY 2000 Coastal Zone Management Grant
Sections 306/306A/309/6217

CHAPTER 1 – SECTION 306

TASK 1.1 COASTAL ZONE MANAGEMENT

Policy Analysis

Staff has been following CZARA.

ESA Consultation

SEA Program staff continues to work with the National Marine Fisheries Service and OCRM on ESA section 7 issues, especially as they relate to the state's new SMP Guidelines.

Coastal Zone Management Grant

See Attachment 1 for local government grants information.

Staff has been compiling information for this semiannual report as well as tracking budget and individual Tasks. Staff also developed a new CZM Grant proposal for FFY-01 which was recently approved by NOAA.

Coastal Planners Meetings

During the first half of 2001 two Coastal Planners Group meetings were convened.

The winter 2001 meeting was held in Tacoma at the Port of Tacoma's World Trade Center Building commissioners' chambers on the theme, Applying Scientific Knowledge to Shoreline Planning and Restoration. 83 persons, probably a new record high attendance, attended the meeting. Presentations included topics of: Using Science to Reduce Risk; Washington's recently adopted Best Available Science regulation under the Growth Management Act; a case example on compilation of a state-of-the-knowledge on marine over-water structures; Washington's Aquatic Habitat Guidelines project; requirements for scientific and technical information in shoreline inventories under the Shoreline Management Act; and panel discussions.

The Spring 2001 meeting was held in Seattle at NOAA's Western Regional Center auditorium on the theme, Cumulative Impact Analysis in Shoreline Planning, Permitting, and Restoration. The meeting was attended by 60 persons. Presentations were delivered on urbanism, An Urban Simulation Model for Metropolitan Policy and Planning; Restoration of Commencement Bay: Reversing Cumulative Damages; Biological Assessments, the ESA, and Cumulative Effects Analysis; and Marine Shoreline Erosion Management and Cumulative Effects Analysis. The discussion sessions of this meeting were the liveliest of any during the past few years: we could have convened a 2-day conference with breakout sessions on this topic.

Publication Management

Continued to maintain publications in print and continued ongoing effort to add publications to Ecology's web site at www.wa.gov/ecology/sea/shoreland.html.

Information Newsletter

Produced Winter 2001 issue (see attached).

Coastal Air Photograph Monitoring Project

Vantage Point Photography continued the aerial photography project, flying at low tides in April, May and June. By the end of June, they had flown 1,276 miles of shoreline (per the terms of the contract) covering Thurston, Pierce, Island, King, Snohomish, Jefferson, Kitsap and part of Mason Counties. In all, we have acquired over 7,000 digital images in three different sizes (thumbnail, "web-sized", and large). We are extending our contract with Vantage Point (using 01CZM funds) to fly an additional 638 miles of shoreline.

Attached are samples of the final products.

THUMBNAIL



000802_130744_tn
.jpg

WEB-SIZED



010512-145908.jpg

LARGE



00802_124000_lg.
.jpg

Coastal Information

CZM staff continue design and development of a web site that focuses on Washington's Ocean coast. The site is geared toward property owners, tourists, and citizens

Coastal Decision Tools

Due to an unexpected workload, no progress has been made on the Coastal Decision Tools special project since our last report. An extension has been requested and the remaining work for this project will be completed by 31 December 2001.

Shellfish Technical Assistance

1. Explaining to state agencies, local governments and landowners requirements of the federal Clean Water Act and state Water Pollution Control Act (Chapter 90.48 RCW).

HQ/NWRO/SWRO – form outreach to landowners, agricultural producers and others explaining state and federal water pollution control laws (ongoing).

2. Determining the water quality "health" of watersheds in cooperation with federal, state, local and tribal stakeholders and identifying potential funding mechanisms to implement corrective actions.

SWRO – Gather information to propose and develop formal Total Maximum Daily Loads for shellfish growing areas with downgrades in classification status due to fecal contamination.

3. Identification of individual sources of pollution and required corrective actions for animal keeping operations, large on-site sewage treatment systems, boating and marina related issues and storm water.

SWRO – Completed one-year fecal coliform sampling project in lower Hood Canal related to ongoing shellfish growing area contamination that showed problems related to stormwater runoff and failing septic tanks. The information will be used by Mason County to address the identified problems.

SWRO - Conduct water quality complaint investigations in the Dungeness River Watershed.

4. Agency internal and external shellfish program coordination

HQ – Coordinate shellfish information and activities within the agency and with external stakeholders.

SWRO – Completed and signed an MOA between Ecology, Department of Fish and Wildlife, Department of Agriculture and the Oyster Growers Association for the control of burrowing ghost shrimp that are detrimental to oyster growing habitat in Willapa Bay and Grays Harbor.

5. Agency representation on the Department of Health Shellfish Advisory Committee

HQ – Represent the agency on the Department of Health Shellfish Advisory Committee.

6. Lead watershed efforts to address shellfish water quality issues

NWRO – Supervise staff implementing the dairy inspections called for in the 1998 Dairy Nutrient Management Act and staff managing shellfish related grants.

SWRO – Supervised and directed staff to develop a sampling plan for bacteria as part of the shellfish closure response plan for McAllister Creek, a tributary to the Nisqually Estuary.

SWRO – Supervised and directed staff to plan and conduct inspections of livestock facilities in the McAllister Creek and Dungeness River watersheds to prevent and

reduce fecal coliform contamination in downstream shellfish growing areas.

SWRO - Supervised staff that attend Clean Water Advisory Committee meeting in Clallam County.

SWRO - Conduct pre-construction sampling for Department of Transportation projects over McAllister Creek.

7. Participating in shellfish bed closure response plans

SWRO - Participated as a member of both the Henderson Inlet and Nisqually Reach closure response teams developing closure response plans.

8. Perform inspections of agricultural water pollution sources activities adversely affecting shellfish sanitation

SWRO - Perform non-dairy agricultural inspections in the McAllister Creek Watershed and complaint response inspections.

NWRO - Implement the dairy inspection, enforcement and permitting activities in Snohomish and King Counties as called for in the 1998 Dairy Nutrient Management Act.

9. Administering grants to address shellfish water quality issues

NWRO - Administer shellfish restoration grants in Kitsap County to conduct sanitary surveys, perform source correction on on-site sewage systems and administer grants to assist low-income landowners. This includes general project administration, review of progress reports and field evaluation of grant activities. Specific activities - the Port Gamble sanitary survey will be completed in July 2001. Thus far, 31 of 32 failing septic systems have been repaired. The Burley Watershed Prevention Restoration Project will be completed by the end of 2001. Thus far, 24 of 28 failing septic systems have been repaired.

NWRO - Manage grants and loans in Skagit, San Juan, King and Whatcom Counties to address fecal contamination in shellfish growing areas. Grants in San Juan and King Counties are used to identify and correct failing septic systems. Grants in Skagit and San Juan Counties are used to identify agricultural sources of fecal contamination in Samish Bay and failing septic systems, respectively.

NWRO - Manage grants in Whatcom County to fund activities of shellfish closure response teams in Drayton Harbor and Portage Bay.

SWRO - Manage grants to upgrade growing area classifications experiencing poor water quality in Henderson Inlet, Lower Hood Canal and Dungeness Bay.

TASK 1.2 SHORELINE MANAGEMENT

Shoreline Permits

Port Angeles Harbor/ City of Port Angeles/ Puget Pilots

Completed a year or so of extensive coordination and correspondence with WDFW, Puget Pilots, and City of Port Angeles, having collectively convinced Pilots to scale back their overwater residential expansion plans significantly. Pilots also agreed to remove a significant number of creosote pilings from various neighboring harbor sites, as mitigation for the added overwater coverage of their new barge/docking facility. Reviewed final, revised conditional use permit, drafted letter for approval.

Admiralty Inlet/ City of Port Townsend/ Cannery Building

Worked closely with City and applicant at agreements on public access amenities being associated with the development of this old overwater structure, and its proposed conversion to office space. If the deal goes through financially, the long unused historic brick building will be restored to use, which is consistent with the intent of special provisions in their master program. Tenants and the public would gain a deck extending waterfront viewing around the south and east side, looking over Port Townsend Bay. Permit approved with elaborate conditions; awaiting final public access plan from applicant, to follow eelgrass survey and engineering studies.

Straits of Juan de Fuca/ Salisbury Point/ Bioengineered erosion control

Several landowners on this mostly natural condition shore of Straits of Juan de Fuca wanted to add rip rap to protect their homes. Met on site with City planner Judy Surber, a couple of the eight or so landowners involved, Hugh Shipman, and Cinde Donoughue. We discussed evidence on the beach showing patterns of wave action over time, comparing present profile with years past shown in aerial photographs. Talked with property owners about specific features to include in plans being prepared by their consultant, Jim Johannesson. Possible model marine bioengineering project may emerge here; we are actively supporting.

Upper Hoh River/ Erosion Control/ Jefferson County Public Works

Attended multi-agency meeting at the site for review of erosion over the last few years and how it now may threaten the county road, which provides access to Olympic National Park. Corps of Engineer representatives were there, recommending the placement of many tons of rock armoring. Along with the Hoh Tribe, WDFW, and Jefferson County Public Works, I was noting landslide hazards and habitat concerns. We are hopeful a solution might be as simple as placing strategically several logs and rootwads, deflecting the main current elsewhere and providing habitat enhancement. Public Works is applicant; they will be developing a final proposal for permitting.

Pacific Ocean/ City of Westport/ Links Golf Course

Large scale proposal for Scottish Links style Golf resort and condominiums. Numerous phone consultations and a couple meetings in person, discussing plans for development adjacent to the dike at Half Moon Bay in Westport, and the requirements of filing information. Conveyed skepticism that placement of such large and expensive structures could be sustainable in that area, which is clearly prone to flooding, and could become

subject to winds and waves of the ocean under certain conditions. Large scale wetland impacts questions were also raised.

Development of Strip mall in Port Orchard into a Deli-Mart/Gas Station

The site is within 200 feet of Blackjack Creek, a salmon bearing stream and habitat for ESA-listed Hood Canal Summer Chum.

Ecology added numerous conditions to the permit requiring that additional storm water collection via trench drains be done to catch incidental gasoline spills near the pumps.

The pumps themselves are outside of shoreline jurisdiction.

Grayland Beach State Park/Pacific County

The expansion of this park has raised the issue of shoreline jurisdiction within the dunal system. The proposal is located more than 200 feet landward of the Ordinary High Water Mark and largely outside of the interdunal wetlands (there is currently a proposed wetland crossing). A letter has been sent to Pacific County confirming that if the proposal is more than 200 feet landward of the Ordinary High Water Mark, and outside associated wetlands, it is outside shoreline jurisdiction. This represents a fundamental shift in how we have been implementing the Shoreline Management Act along the ocean beach. Until now, we have applied shoreline regulations to the entire dunal system. At issue are those dry land areas between the interdunal wetlands.

Lakeshore Estates/City of Redmond

Reviewed dock proposal associated with a residential development within the City of Redmond; due to sensitive nature of aquatic bed and other wetland resources at the north end of Lake Sammamish, applicant scaled back dock proposal and was able to reach agreement with Ecology.

Salmon Beach/Tacoma

SWRO Staff attended a meeting with City of Tacoma regarding Salmon Beach. Homeowners are proposing to move their residences Waterford and away from the toe of the bluff. The City was asking whether they could issue a "general" permit. While we believe they can bundle the applications and process them simultaneously, each property will have to be individually analyzed and provide all the applicable information necessary for a shoreline permit. Issues with the stability of the bluff remain. Most problematic and urgent is the area that slid as a result of the February 28 earthquake. The main trail and utilities were demolished. A temporary sewer line and temporary power lines have been strung.

Difficult Projects

NWRO staff have been involved in three pre-application conferences (and SEPA appeals) of proposals to build either over water or on unstable slopes. These have all needed Conditional Use Permits because of their shoreline designations of Conservancy. All of them have some amount of local permit grandfather status because of their original permit application dates. The applicants have raised the issue of

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Performance Report-Local Government Grants

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These projects, one on Bainbridge Island, one in Seattle on Lake Washington, and one in Kitsap County on Hood Canal is currently stalled as they redesign and hopefully come up with more resource sparing or protective proposals.

One applicant who proposed building a wholly over-water subdivision of 9 homes at the toe of Magnolia Bluff in Seattle is suing the City of Seattle for denying his permit and therefore taking the economic use of his submerged property, basing his allegations on the recent Supreme Court decision regarding the Rhode Island wetlands. His proposal would have needed 401 and 404 permits, plus a Coast Guard permit for a bridge, Ecology shoreline permits, and an HPA from Washington Fish and Wildlife.

The site is also at the toe of a very erosion prone bluff which has had active slides the past 10 years.

Compliance and Enforcement

The Compliance Workgroup (CWG) continues to meet each month. At those meetings, staff representing headquarters and all regions (as well as management representatives) discuss both current cases and policy issues of larger than regional significance. While peer review and mutual education are the primary goals, policy guidance is sometimes called for and articulated.

The CWG completed two policy guidance documents to assist in the interpretation and application of SMA exemptions. Minor revisions of these are possible as we continue to receive feedback from local government administrators.



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The CWG completed its second year of monitoring inspections. Data is being compiled and analyzed in July and August. This past Spring we sent out a letter to all those who received variances and CUPs (those shoreline permits for which Ecology makes the final decision). Preliminary indications are that useful information was gathered. Local governments and applicants are now beginning to expect some Ecology follow up to permits.

During this period, the program issued one penalty and (\$25,000) and order, and one Notice of Correction.

Penalties and orders issued from January 1 through June 30:

March 15, 2001: # 01SEANR-2101 - Ken Youngsman. Note that this Order and \$17,000 penalty should have been issued as #01SEANR-2101 for the Order and #01SEANR-2100 for the Penalty.

Note also that the March 15th Order/Penalty reinstated Penalty #00SEANR-1209 (\$17,000) and Order #00SEANR-1208 (combined as #00SEANR-1209 and issued

on June 21, 2000), for a total penalty at that time of \$34,000.

June 27, 2001: Order #01SEANR-3032 and Penalty #01SEANR-3031 - Ken and Bill Youngsman. Note that THIS time we properly issued the Penalty/Order with both of Ecology's docket numbers. This penalty imposed an additional \$25,000, for a three-penalty total of \$59,000.

Shoreline Master Program Review

Master program reviews have given assistance to local jurisdiction by giving two presentations on the new shoreline guidelines and working with Kitsap County and the City of Seattle, who are in the process of revising their SMP's and three other jurisdictions who are in the beginning stages of evaluating their existing ones.

Draft/Conception Stage

City of Gig Harbor: This project is a comprehensive amendment of the SMP. The overall project schedule has been developed. The draft goals and policies have been prepared and the shoreline inventory and environmental assessment is underway. This is a FY 02 CZM grant project.

City of Sumner: This project is a comprehensive amendment of the SMP. The project scheduled was recently revised. The City placed additional emphasis on the recently completed shoreline inventory and environmental assessment. The general goals and policies for the SMP are currently being prepared. This is a FY01 and FY 02 CZM grant project.

City of Port Townsend: This project is a comprehensive amendment of the SMP. The City recently initiated their planning process. This is a FY 02 CZM grant project.

Wahkiakum County: This project is to develop a shoreline atlas for the County's use in planning and other regulatory activities. The atlas will include a series of maps and overlays that graphically depict the available scientific and other inventory information for Wahkiakum shorelines. The County recently initiated this project. This is a FY 02 CZM grant project.

Submitted to Ecology for Action

City of Bellevue: Amendment for a map change incorporating recently annexed areas of the city.

City of Langley: The City, which presently uses the old Island County SMP which it adopted in the 1970s, has prepared a new SMP that more adequately addresses the City's unique shoreline conditions. Ecology approval is anticipated within the next two weeks (we are presently awaiting City Council action on Ecology-required changes).

Town of La Conner: Ecology is about to send (hopefully, within a week's time) the Town a list of changes to proposed SMP amendments required before Ecology can approve the SMP. The proposed amendments are focused on an area south of the historic waterfront commercial district that is presently designed as Urban Mixed Use in the SMP

and as Industrial in the zoning ordinance. The amendments will eliminate the Urban Mixed-Use designation, instead designating the ten-acre area Urban Industrial, and will enhance public access requirements. Other minor amendments are included.

Acted on by Ecology

San Juan County: Amendment was completed during that time frame. It involved the permitting of floatplane facilities.

Island County: The revised County SMP became effective on June 21, 2001, following years of discussion and negotiation between Ecology and the County. The amendments, which resulted in a substantial revision of the entire SMP, focussed on SMP regulatory language but also enhanced policies and addressed regulatory reform issues. Noteworthy is the inclusion of minimum shoreline setbacks, missing from the previous SMP.

City of Anacortes: Limited revisions to the City's SMP became effective on January 19, 2001 with the City's approval of Ecology-required changes. The amendments were aimed at achieving SMP compliance with the Fidalgo Bay Subarea Plan approved in 1999 as an element of the comprehensive plan.

SMA/GMA Mapping in the Coastal Zone

Given the continued uncertainty surrounding the SMA Guidelines and a reevaluation of priorities, we have decided to change this activity to another data/information effort aimed at supporting local jurisdictions. With the help of an intern, we have continued to convert historic Coastal Zone Atlas data to digital format. In particular, we have rectified and digitized the slope stability maps and have begun rectifying the coastal drift maps which include bluff erosion information not available in any current data sets. Both of these data layers are key to developing updated shoreline master programs. We have also been developing aerial photo CD's by county, using the new oblique photographs (see above). Our goal is to provide each county with a CD with photos of their shoreline. The CD product will contain a map tool (similar to our web site) that allows the user to use their Internet browser to access the photos via an interactive map.

TASK 1.3 WETLANDS MANAGEMENT

Wetlands Technical Assistance

Association of State Wetland Managers Meeting, Washington, D.C.

Erik Stockdale attended the annual meeting of the Association of State Wetland Managers in Washington D.C. March 6-8. The ramifications of the January 2001 Supreme Court decision (limiting Corps of Engineers jurisdiction over isolated wetlands) were discussed at length. States with separate wetland regulatory programs will be largely unaffected by the decision. Several states that rely almost entirely on the Corps for wetland regulation are concerned that vast acreages of wetlands will no longer be protected. Some southern states are more concerned with the prospect that the "Swampbuster" provision of the Food Security Act will not be reauthorized this year. Large and nationally significant wetlands (such as bottomwood hardwood forests) are at risk from agricultural conversion if the provision is struck, as Swampbuster is a strong deterrent to agricultural conversion. A data nugget to note: If the Supreme Court decision

results in the loss of only 1 percent of the nation's wetlands, 1 million acres of wetlands will be lost, nationwide. This is more than what has been lost nationwide in the last 10 years. A one percent loss is very low, as some states are estimating that 20-30 percent of their wetlands are no longer protected by the Clean Water Act.

Salmon Overlay for Snohomish River Wetland Integration Plan (SEWIP)

NWRO wetland staff continues to focus a significant amount of their time in the lower Snohomish estuary. The City of Everett finalized the "salmon overlay" to the 1995 SEWIP plan in part with a CZM grant from Ecology. We evaluated over 10,000 acres of agricultural land within the estuary with respect to their restoration potential. Tremendous opportunities exist to restore land for salmon recovery in the lower part of the basin.

Earthquake unleashes landslide in Bellevue, threatening Olympic Pipeline

The February 28 earthquake unleashed a landslide three days later at Kelsey Creek Park in Bellevue. The earthquake may have increased the amount of groundwater being discharged along the face of the soggy slope, resulting in the massive slope failure. Of particular concern was the fact that the slope failure cut back to within 20 feet of the Olympic Pipeline that runs along the ridge just to the east of the park. SEA staff discovered the slide when they were evaluating the wetlands at the park and noticed Kelsey Creek was running white (presumably from glacial flour in the slope failure slurry). At first the concern was that someone had dumped latex paint in a storm sewer. A METRO sewer trunk and a Puget Power line also share the right of way. The City of Bellevue's response to the problem was excellent. Kelsey Creek is one of the most productive Chinook streams in the Puget Sound region. The impact of the slide on the juvenile Chinook in the creek is uncertain at this time. The wetland at the base of the slope buffered the creek from much of the slide. The City and Olympic are seeing FEMA funding to pay for the slope repair and to restore the wetland.

Skagit Scientific Advisory Panel

Erik Stockdale is representing Ecology on this advisory oversight panel for the Skagit County Managed Agricultural Riparian Program (MARF). The SAP is making recommendations regarding the implementation and ongoing monitoring of the County's Critical Areas Ordinance. More specifically, the group is currently working on the establishment and effectiveness of a riparian buffer program on buffers required adjacent to streams and waterways that drain through agricultural lands. A baseline-monitoring program is being developed. Several test sites will be established to test effectiveness of various buffer widths and treatments. In the future the SAP will review and approve individual buffer plans. The County is in the process of acquiring multi-spectral digital aerial photography (at 1-meter resolution) that will be flown this summer. (The Colorado-based company will be flying Kitsap County at the same time). These data will allow the County to compare current conditions in the study area to future conditions when the buffer program is put into effect. The NMFS and UW Center for Streamside Studies may be getting involved in elements of the buffer program. The data will allow the county to update mapping of channel migration zones, wetlands, land cover, etc.

Olympic View Sanitary Landfill, Kitsap County

Assisted our NWRO in following up on the analysis of wetland invertebrate monitoring data. I critiqued their sampling methods and interpretation of the wetland macroinvertebrate data. The purpose of invertebrate monitoring was to determine whether the wetlands adjacent to the landfill are in need of remediation which would need to be included in the landfill closure plan. Participated in several in-house meetings and meetings with the liable party, Waste Management, Inc. Most of SEA program staff time was cost-recovered through the Toxics Cleanup Program.

Kah Tai Lagoon Remedial Investigation, City of Port Townsend

Assisted the SWRO's Toxics Cleanup Program in defining a sampling plan to conduct an initial follow-up investigation of soils and sediments found to be contaminated in the mid-1980s. Contaminants within the wetland were found to be contaminated at that time. From my analysis of existing conditions and historic data, I concluded that stormwater input is the likely source of metals contaminants. I recommended sampling of plant tissue along with wetland sediments and suggested methods for sampling and analysis of said plant tissue. Sampling was conducted in early May. This remedial investigation could lead to more intensive sampling or immediate clean-up in addition to changes to the treatment and routing of stormwater within the City of Port Townsend.

CMC Heartland Development, City of Fife

Reviewed the Final EIS for adequacy. Participated in a meeting with biologists for the Puyallup Tribe of Indians, regarding the adequacy of the FEIS and next steps. We were in agreement that the FEIS is not adequate and that the revised preferred alternative still does not provide adequate protection of sensitive natural resource areas.

Discussed the potential and the ramifications of the oxbow wetland being considered a shoreline lake. If it is a shoreline in and of itself, rather than just an associated wetland, the developers could be subject to additional regulations, which they have previously not considered to be an issue. Researched and coordinated with Ecology Shorelands staff regarding the likelihood and the ramifications of the oxbow wetland being considered a shoreline lake.

Began review of the City Environmental Officer's recommended mitigation measures for preliminary plat approval, which we received on June 15, 2001. It is evident that through all of our dedicated efforts, the mitigation measures being recommended for this development proposal are better than what would have otherwise been recommended. The City Planning Commission met for a public hearing on July 5 to consider the preliminary plat application. I provided brief comments regarding the adequacy of wetland buffers and the potential status of the oxbow "wetland" as a Lake and a Shoreline of the State. These comments were presented at that hearing.

American Lake Ordinary High Water Mark Determination, City of Lakewood

In response to an individual lot owner desiring to subdivide his American Lake Shoreline property into 3 lots, the City requested our assistance in determining the location of the ordinary high water mark. We visited the site three times, in February, April, and May. The ordinary high water mark was staked during the final visit and a follow-up letter sent

to the City of Lakewood documenting this call.

Pope and Talbot Properties, City of Gig Harbor

Provided extensive review comments on the wetland inventory and categorization report and based on a January site visit. Pope and Talbot own some 400 acres along the new East-West road in Gig Harbor. This area will ultimately be intensively developed into single family residential. I recommended that wetland boundaries be re-verified with each phase of development, as full build-out of this area may not occur for 15-20 years.

Wetland Monitoring, B& L Landfill, Pierce County

Collaborated with Ecology's Environmental Assistance Program (EAP) and Toxics Cleanup Program (TCP) on developing a near term and long-term monitoring approach to the Hylebos floodplain wetlands adjacent to this landfill. The purpose of wetland monitoring will be to determine:

- whether wetland soils and plants are contaminated,
- whether the wetland is functioning as a source or sink of contaminants,
- whether the wetlands show signs of ecological disturbance from high levels of heavy metals and other contaminants, and
- whether and what type of remedial action may be necessary within the wetlands.

The TCP submitted a request for technical assistance to EAP and EAP agreed to pick up this project. This project may help to address our need to develop methods to monitor the health and condition of wetlands in order to meet EPA's reporting requests.

Winterhaven Development, City of Bonney Lake

Participated in a meeting with the City of Bonney Lake Building Review Board, the city's wetland consultant, the developer of the proposed Winterhaven Development, and their consultant. I had been asked to provide technical assistance as to the determination of an area as wetland or not. I had told the city that I could not provide a positive determination one way or the other, on account of the drought conditions we have had this year. I had recommended that the development proceed as though the area in question is a wetland. The developers accepted that approach. The purpose of the meeting was to discuss how it might be possible to proceed with the development under the assumption that this area was wetland.

Brook and Douglas Johnson Document Review, Pierce County, Near McKenna

At the County's request, I reviewed the wetland determination report for this parcel. Brook and Douglas Johnson undertook some unauthorized ditching on their property, through an area the County believes to be wetland. Their consultant stated that wetlands are not present on the property, in part because the ditches drained any pre-existing wetlands. The County disagrees. Two other consultants had previously determined that wetlands were present on this parcel. This has become very contentious. The County's determination that wetlands are present has been appealed by the Johnson's. I reviewed the file and wrote a letter to all parties of interest saying that I concurred with the County.

There is likely to be a court hearing, for which I may be called as a witness, possible in early August.

Jefferson County, Washington State University Cooperative Extension, Realtors Training
Gave a 1-½ hour presentation, on March 14, on wetland identification, wetland regulations, and Ecology's role in wetland protection and management. The audience (of 19) consisted of two real estate auditors, sixteen realtors for clock hour credit, and one Olympic Peninsula Water Watcher for general education and networking.

Wetlands Training to Mason County Environmental Planners

Gave a daylong training to eight Mason County staff on wetland identification and delineation, wetland classification and rating, and evaluating wetland impacts and wetland mitigation proposals. This training included a couple of hours of classroom lecture/discussion and the remainder of the day in the field.

Guest Lecturer for Ecology Class

Participated for a day as a guest lecturer for the Biology 472 class being offered this summer at the University of Washington, in Seattle. During my introduction, the class instructor presented me as an Ecologist for the State and read the Department of Ecology and the SEA Program mission statements. I spoke for forty minutes regarding my graduate research. I then traveled with the class the Foulweather Bluff Lagoon Nature Preserve where I taught plant sampling techniques. The students characterized the vegetation community and measured soil interstitial conductivity to test the hypothesis that differences in soil interstitial conductivity correspond to differences in plant community. I worked hard and the students had a good day. This was a nice opportunity to demonstrate to the students what an ecologist does in the field during an ecology study.

Bremerton-Kitsap Co. Health District

Reviewed third year monitoring report, performed site visit and provided comments for the Pope & Talbot wetland restoration project, required by the county as part of a past enforcement action.

Kitsap County Olympic View Sanitary Landfill

Ecology staff met several times with Olympic View Sanitary Landfill (OVSL) staff and consultants to discuss the Preliminary Evaluation of July 2000 Wetland Investigation dated October 11, 2000, and the final Wetland Investigation and Assessment Report of March 19, 2001. Ecology expressed concern regarding the procedural accuracy and interpretation of the results of the requested macroinvertebrate sampling. Ecology's main concern is protection of the wetlands immediately down slope from the Landfill. After much discussion, it was decided that OVSL will submit a technical memorandum to Ecology by the end of June 2001, identifying all the sources of field and technical information to be evaluated as part of the remedial investigation. OVSL will proceed with the Remedial Investigation, preparing a draft that gathers and evaluates all existing field and technical information related to the site to determine potential sources of contamination. Ecology reserves the right to request additional information on sediment, surface and pore water chemistry depending upon the adequacy of the data presented in the Remedial Investigation.

Whatcom County BP Cherry Point Co-Generation Plant

BP proposes to construct a 750-megawatt gas-fired co-generation plant near its refinery at Cherry Point. The plant would generate electricity for the refinery and for sale to nearby industry and the power market, including Intalco. The plant will require 20 acres, and 40 acres is preferred. The area currently being investigated is nearly entirely wetland, although studies are ongoing to delineate the wetlands in the area and consider locations and designs that could reduce the amount of wetland fill. At this time the proposal is to fill 25 acres of wetlands. Ecology's recommended mitigation ratios could require up to 100 acres of mitigation for that amount of wetland fill. Ecology and the Corps will be involved in review and permitting of the proposal, through the Clean Water Act and the Energy Facility Siting Evaluation Council (EFSEC).

Skagit County/Skagit Highlands

Ecology commented to the City of Mount Vernon on a SEPA Notice of Addendum to EIS for a master-planned development proposed on 209 acres. The proposal includes fill of 0.77 acres of wetlands. We recently received a copy of the City of Mount Vernon's Notice of Decision approving the proposal. However, the applicant has not submitted a Joint Aquatic Resource Protection Application (JARPA) for Ecology's approval of the project under the Clean Water Act. Lack of coordination between the local, State and Federal agencies with jurisdiction over wetlands may cause the applicant to redesign the project several times to gain approval from all of the agencies.

Lower Chehalis/Grays Harbor

Ecology attended a public hearing on the proposed Critical Areas Ordinance (CAO) for wetlands from the city of Westport. One of our greatest concerns is that the proposed amendments include changes to the City's SMP and the required procedures for SMP amendments are not being followed. There are a number of substantive shortcomings in the proposed regulations as well. The hearing was well attended for Westport standards with five people presenting comments. Three speakers spoke in favor of stronger standards (including Perry Lund for Ecology), one person claimed that the proposed regulations would end life as we know it in Westport, and one person just reminded the commission to try to come up with a balanced approach that considered the people as well as the environment. The Planning Commission will now draft a recommendation to the City Council. An additional hearing will be held when that happens. The City has since postponed the adoption of these changes pending decisions by the state legislature on the new shoreline regulations and federal guidance on the recent Supreme Court decision on isolated wetlands.

Nisqually/Thurston County

Perry Lund met with Kathy Cupps and applicants for a proposed septage treatment system in Thurston County. The applicants are proposing a water reuse facility that would include a discharge of reuse water to constructed and natural wetlands. We believe the wetlands on site may benefit from a discharge of treated water. They are highly degraded from years of land use abuses from the previous landowner. Project costs for greater treatment requirements will be the most likely reason this site would not be used.

There are a number of details that have to be worked out to make this project work. These issues include County requirements, Department of Health requirements, and Ecology requirements for water quality and wetlands. The applicant's reluctance to perform the necessary wetland evaluation may be the only reason that wetland restoration would not go forward with this project. There is also considerable public opposition, in large part because of the actions of the previous landowner.

Willapa/Pacific County

Ecology staff met with City of Long Beach officials and their representatives along with staff from many other agencies to review and discuss the proposed location of the Lewis and Clark Trail in Pacific County. The trail is proposed to loop between Ilwaco and Long Beach, tying into the existing dune trail that fronts Long Beach. A significant portion of the trail would be located on property owned by State Parks so they are a significant participant also. There are numerous Shorelands and wetlands issues that need to be addressed and there is a very tight timeline because of the impending bicentennial celebration of the Lewis and Clark expedition. We are expecting a flurry of activity in the upcoming months and everyone involved appears willing to give this project high priority. (Perry J Lund)

Deschutes/City of Olympia

Ecology staff have spent considerable time in the field and in meetings working with the City of Olympia, their consultants, and other agencies on the emergency construction of a temporary bridge and the permitting for the new 4th Avenue bridge. Construction of the temporary bridge has already begun and the City would like to begin construction on the new bridge later this summer. Most recently, staff have been serving on the habitat advisory team to the City to determine appropriate mitigation measures related to the construction of the over-water structures. The City is now preparing their applications for shoreline and 404/401 permits. We will do all we can to make this process go as quickly as possible.

Deschutes/Thurston County

Ecology staff have been working with the Department of General Administration and other state and local agencies and interest groups to develop an adaptive management plan for Capitol Lake in Olympia and Tumwater. Through the scoring process developed by the advisory group, Ecology has selected the wide-estuary as a preferred alternative. This alternative would involve the restoration of the ebb and flow of the tide to the full Capitol Lake basin by removing up to 500 feet of dike, dam, and other impoundments at the north end of the Lake at 5th Avenue. This may be the most costly initial option but it would have little to no long-term costs. It is also likely to face considerable public scrutiny and support. There will undoubtedly be many more meetings and discussion that will take place before any decision is made on the ultimate outcome of what is now known as Capitol Lake. Staff is also working with GA on determining the appropriate approach to take with repairing the mitigation site for Heritage Park and bringing it into compliance with the original permit.

Deschutes/Thurston County

Ecology continues to work with the department of General Administration on issues involving Capitol Lake. The Capitol Lake Adaptive Management Committee has agreed on two potential outcomes for the lake as they approach the completion of the Capitol Lake Adaptive Management Plan (CLAMP). The options being reviewed include maintaining the lake as it is, with complete dredging, or removing the dam and a portion of 5th Avenue and allowing Capitol Lake to revert to an intertidal estuary as it would naturally as the mouth of the Deschutes River. A meeting is planned soon to discuss the permitting implications of both of these options to provide the committee with additional information.

Wetlands Function Assessment Project

A 5-day training workshop for users of the Western Washington methods was conducted in June. 14 people attended. An update was mailed to the project mailing list that identified "errata" changes to the methods and the project list serve was maintained.

Wetland Mitigation Banking

The mitigation banking rule has not been filed yet. It has been held up by the need to produce more complete environmental evaluation documentation to satisfy the State Environmental Policy Act requirements. It was determined that an Environmental Impact Statement is not required but additional information documenting the environmental effects of the rule is being developed.

Wetland Mitigation Evaluation Project

Staff completed the data analysis for the Phase 2 report on wetland mitigation success. A first draft of the report was completed and reviewed by wetlands staff and a final draft is being prepared for broader peer review. A final document is expected in August 2001.

Wetland Stewardship Project

Stewardship work has focused on providing technical assistance to local watershed efforts for acquisition and restoration of wetlands in lower intertidal areas. Several players have approached Ecology with the request for assistance receiving grant funding and project information to facilitate this work. Three projects that have been underway are the continued Qwuloolt effort in the lower Snohomish, an investigation into feasibility of initiating an oxbow restoration along the Puyallup River, and the purchase of Deer Lagoon in Useless Bay on Whidbey Island. Ecology has been working with local and tribal government and Natural Resource Damage Assessment Teams to further these efforts. Grant applications have been sponsored by Ecology to receive additional funding on two of these three major projects.

Additionally, Ecology continues the work of monitoring and research on the previous Spencer Island intertidal wetland restoration project in the lower Snohomish River. Vegetation plot sampling work conducted in summer 2000 was summarized and presented to the Society of Ecological Restoration Conference detailing the extent of vegetation plant community change occurring on the island. Preparations for the summer 2001 monitoring were also begun.

Wetlands Restoration

Staff focused wetland restoration efforts in many different areas. First, staff continues to explore ways to integrate landscape-scale process-based tools into wetland restoration efforts. One key example is the targeted assessment of potential wetland restoration sites within Drayton Harbor drainage. Working with the Drayton Harbor Shellfish Growers, Ecology used it's existing wetland restoration database, our understanding of ecosystem processes at a landscape scale, and new data sets to establish priority wetland preservation and restoration sites that have the greatest potential to maintain and restore water quality in Drayton Harbor. In the coming year, priority sites will be field checked and assessed at the site scale. Second, staff continue to provide technical support for large restoration projects like McElroy Slough (Samish Bay/Skagit County), Qwuloolt Restoration Project (Snohomish Estuary/Snohomish County), and Diking District 6 (Snohomish Estuary/Snohomish County). Within this time period, staff provided substantial work to the development of the McElroy Slough monitoring plan. Staff turnover precluded function characterization and completion of the Snohomish wetland restoration database, but it did allow substantial time for the quality control of the existing potential wetland restoration site attributes. One final note regarding a wetland restoration success that occurred during this period. Two years ago, staff were instrumental in the restoration of Tributary 80, a large drained headwater wetland in the Stillaguamish Basin. This forested wetland was once a series of beaver dams that were drained by a railroad grade in the late 1800's. Drainage and the extirpation of beaver had significant impacts on the site. Our restoration plan called for the reestablishment of a more natural water flow through the site and allow beaver recruitment (following the restored flow of water) to do the remainder to the work. Staff received a call from a local biologist that had observed beaver activity within the project area...the beaver had returned. As beaver rebuild dams that have been abandoned, the natural delivery and routing of water will result in the return of a diverse suite of functions to the site, including summer/winter rearing habitat for juvenile Coho salmon.

River Basin Characterization

Watershed characterization focused on integrating landscape-scale process-based assessment methods into major state policy documents. Serving on inter-agency technical teams, staff provided extensive technical support in the development and writing of a May, 2001 Joint Natural Resources Cabinet publication entitled "Guidance on Watershed Assessment for Salmon", Tri-county's Watershed Assessment Framework, and new technical guidance for assessing ecosystem processes for the Shoreline Management Rule. During this period an average of 2 presentations per month were given at conferences and to government agencies and local action teams. Staff also participated in the development and initiation of Smart Growth pilots in Puget Sound with the Puget Sound Action Team and EPA.

TASK 1.4 FLOODPLAIN MANAGEMENT

Coastal Flood Hazard Management Plans

Program staff is working with local CZM counties in the development of flood hazard management plans.

TASK 1.5 FEDERAL PERMITTING

Clean Water Act Section 404 Review

See attached chart for section 404 reviews.

Federal Consistency Certification

Ecology staff reviewed projects by various federal agencies and applicants for federal permits and financial assistance for compliance with State's CZM Program (See Table 5-6-7).

The major project worked on during this time period was the ongoing Columbia River Deepening project. Ecology staff is meeting on a regular basis with other Washington State resource agencies as well as the project proponents.

TASK 1.6 PADILLA BAY RESERVE

Estuarine Education and Information

Staff provided estuarine and watershed education to 256 groups with a total audience of 9,904 citizens. These include wildlife managers, university and college classes, scouts, home schools, AmeriCorps members, environmental educators, citizen volunteer environmental monitors, special education, and summer youth programs.

Coastal Non Point Septic Education

The Secrets of a Successful Septic Education Program workshop was held in three locations over the past year:

- October 26- Olympia
- January 25 – Port Angeles
- April 26- Yakima (incorporated into the WA State Environmental Health Association's annual education conference)

The workshop offered participants innovative program and marketing ideas, as well as insights into the process of organizing septic education programs. Presenters from six counties presented materials, demonstrated activities, and answered questions. A special section was also included which addressed tips for giving effective presentations.

Each of the workshops filled to capacity with 40 participants registered for each one. The participants represented the following types of agencies and organizations: Health Departments, Ecology, Puget Sound Water Quality Action Team, Washington State University Extension Service, BC Ministry of Fisheries, local and BC Tribes, Public Utility Districts, Planning Departments, and Engineering and Soil Tech firms.

Evaluations were quite positive. Participants appreciated hearing practical how-to information from experts who are actively involved with septic education. They also appreciated the diversity of topics and innovative approaches.

Non-chemical Spartina Research and Control in Padilla Bay

We are pleased to report that there are only 0.14 acres of *S. alterniflora* remaining in Padilla Bay and that it was mowed June 13-15. *S. anglica* now totals 0.004 acres and all but one site was dug by 6/30/01. In this time period, we ordered and received supplies. We surveyed the shoreline for *Spartina*, June 6-8, 13-15, and 21. We pulled seedlings and dug clumps these days as well. Clumps and clones on the Swinomish Spit, the Swinomish Gun Club and the Oswald property were dug and bagged on 6/22.

We were notified last year that Alice Bay has an infestation of *S. anglica*. Department of Ecology owns approximately 7 acres of mudflat in the south end of Alice Bay which is east of and adjacent to Padilla Bay. *Spartina anglica* in the south end of Alice Bay was surveyed and marked with flags on 6/27. It is a likely source of seed for the north end of Padilla Bay. We intend to dig or mow the infestation in the south of Alice Bay. The Skagit County Noxious Weed Coordinator and staff will work on the rest of the infestation in Alice Bay.

Padilla Bay Research Assistantships

Leslie Allen. "A comparison between soil respiration rates of a native and an altered marsh in Padilla Bay." Ms. Allen continued measuring soil respiration in this time period. She presented a summary of her research design and methods at the Pacific Ecology Conference at Bamfield Marine Station in B.C., Canada. She has arranged with Batelle NW Labs in Sequim to analyze soil cores from her two study sites for Cesium-137 to determine vertical marsh accretion.

Tara Burke. "The socio-economic effects of the Carlyon Beach/Hunter Point landslide." In this period, Ms. Burke conducted the survey and had a 71% response rate. For surveys returned, she conducted statistical analyses. Her thesis includes the following information: role of government agencies in natural disaster mitigation, literature review, summary of existing land use regulations and hazard response programs, and programs that exist to provide information to landowners about landslide hazards. She expects to defend her thesis in the next time period.

Anna Portinga. "An investigation of potential sublethal stress indicators in *Zostera marina* L." In this period Ms. Portinga refined the data for epiphyte load and chlorophyll so as to be more comparable to other studies. Chlorophyll content and a/b ratios were determined and analyzed. Scientific literature was reviewed in each of these areas for purposes of comparison and interpretation. ABA content analysis will hopefully be completed this summer.

Salmonid Use of the Estuarine Nearshore

The information regarding salmonid use of the estuarine nearshore was reviewed with regard to quantity, quality, and accessibility. In consultations, with nearshore scientists, the focus of the project was directed toward salmonid use of seagrasses in the Pacific Northwest. Charles Simenstad of the University of Washington School of Fisheries has agreed to supervise a student and co-author the review of published and gray literature

information. He will also contribute unpublished data from several studies in which he was involved in the past.

CHAPTER 2 – SECTION 309

TASK 2.1 IMPLEMENTATION OF LEGISLATIVE CHANGES TO THE SHORELINE MANAGEMENT ACT

- worked with Legislature to secure time extensions and funding for guidelines implementation (unsuccessful, no change)
- provided status reports and training sessions with SEA Program staff at numerous meetings and workshops
- established in-house technical team, working with consultant to refine shorelines inventory and assessment approaches as the first step in local SMP updates, ultimately for use in updating the Shoreline Management Guidebook and related technical assistance materials
- gathered, researched, compiled the latest sources of scientific and technical information necessary for inventory and assessment of shoreline ecological processes and functions
- conducted shoreline guidelines related workshops and presentations for lawyers, local government planners and administrators (i.e. planning and Bar Association conferences, Coastal Planners Group)
- prepared draft table of contents for updating the Guidebook, revised diagnostics checklist, various guidelines rule summaries and explanatory handouts for updating SMPs
- compiled administrative record (27,000+pages) and helped Attorney General's Office prepare for and defend business and local governments appeal of the guidelines, now before the State Shorelines Hearings Board. The hearing was June 27th. A decision is due in 60 days.
- held one-day workshop with federal Services to discuss PFC methodology.
- prepared Web site on inventory and assessment with links to data sources at <http://www.ecy.wa.gov/programs/sea/SMA/guidelines/inventoryanalysis.html>
- conducted four workshops on conducting the inventory and assessment steps required under the new rule. The workshops were highly successful, attended by 200 local and state agency staff. Presentations from the workshops are posted at the above site.
- provided direct technical assistance to local governments on accessing and interpreting data for shoreline inventories and assessments.

TASK 2.2 309 STRATEGY UPDATE

The public review Draft Assessment report was completed in January and a public information notice was mailed to 7,842 Washington State addresses culled from the Coastal Currents newsletter mailing list. The notice was also posted to the Washington Shoreline Planners list serve which has 130 subscribers. A brief presentation on the Section 309 program and the public review Draft Assessment report was made at the January 26th Coastal Planners Group meeting in Tacoma. Sixty-six requests for copies of

the draft assessment report were received plus an unknown number of persons accessed the draft report on the Shorelands web site. The Section 309 Draft Assessment public review period ended on February 12. Eleven comment letters or e-mails were received; nine letters were pertinent, and two had this process confused with something else.

Compilation and editing of the 2001 Section 309 Assessment and Strategy Final Report was completed in March and submitted to OCRM for preliminary approval; comments from OCRM staff were incorporated into the report and the final version was delivered to OCRM on April 20. Copies of the final report were distributed to OCRM, requestors of the draft report, the Washington State Library, the Ecology Library, and Ecology Publications.

CHAPTER 3 – SECTION 6217

TASK 3.1 MANAGING NONPOINT POLLUTION IN THE COASTAL ZONE

Our attention has been primarily focused on the Agricultural Measures in Action 2. This has caused a slight delay in some other action timelines. Products associated with several of the actions are currently being developed and will be delivered in the coming 3 months using other planning funds.

Action 1 - Backup Enforceable Policies

We have completed an analysis of Title 90.48 RCW and have forwarded the information along with NOAA guidance and an example AG opinion to our Attorney's for review. We hope to have a response for submission by early September 2001.

Action 2 - Agricultural Management Measures

The AFW process is called for in Governor Locke's statewide strategy to recover salmon stocks. It is intended to provide an opportunity for agricultural producers to voluntarily meet requirements of both the federal Endangered Species Act (ESA) and the federal Clean Water Act (CWA). Ecology is relying on the AFW process to develop adequate practices to address the management measures in CZARA.

AFW contains an irrigation component calling for the development of Comprehensive Irrigation District Management Guidelines (Guidelines) to be used by irrigation districts to comply with the ESA and CWA. Dick Wallace has been the lead for Ecology's Water Quality Program serving on the Guidelines Executive Committee for the past two years overseeing development of the Guidelines. The final Guidelines were issued in June 2000. Several irrigation districts have already expressed an interest in implementing pilot projects under the new Guidelines. These guidelines will direct the activities of irrigation districts in a manner that will necessitate the use of the most effective BMPs used in the state.

We are also evaluating the applicability of this measure to Washington's Coastal Zone management area. We believe this will meet intent of the Irrigation Water Management Measure (IIF) and intend to submit the management measure in August 2001.

A second component of the AFW process calls for the development of modified federal Natural Resources Conservation Service practice standards that may be voluntarily implemented in a complete farm plan by agricultural producers to meet requirements of the ESA and CWA. Our hope is that this effort will provide the basis for a future submittal to satisfy the Erosion and Sediment Control Management Measure (IIA) and a portion or all of the Grazing Management Measure (IIE)

This project has been ongoing for the past two years with Dick Wallace serving on the Executive Committee. Phil Kauzloric has been the Water Quality technical lead for the past year working on an Integrated Technical Team (ITT) comprised of agency and agricultural representatives. The ITT focus has been in the lower Skagit River Valley. Additional work covering other parts of western Washington is planned but not scheduled at this time.

A total of 33 NRCS practice standards affecting water quality and salmon habitat will be reviewed in this aspect of AFW. So far 15 practices have been reviewed and updated by the ITT. Once all the guidelines have been completed including all 33 updated practice standards, NRCS will undertake consultation with NMFS and USFWS under Section 7 of the ESA.

We will submit the Sediment and Erosion Control Management Measure once ESA consultation is completed for all of western Washington. That may be as late as 2003, or sooner if the AFW process moves forward at a quicker pace.

There are two key issues remaining being addressed by the ITT for the Skagit area. The first is reducing the introduction of sediment from v-ditches to downstream ditches and sloughs. Sediment is resulting in habitat degradation and the need for maintenance dredging. This issue is still under discussion. The ITT has tentatively identified additional BMPs used in conjunction with V-ditches to reduce sediment production.

A second key issue is determining riparian buffer widths needed to meet ESA and CWA requirements in ditches, sloughs, modified natural watercourses and natural watercourses. A water course classification matrix has been developed and 4 specific NRCS practice standards have been identified for review. A revised Forest Riparian Buffer (still under discussion) will be the recommended standard for natural stream courses in the area. A combination of Hedgerow Planting, Field Border and Filter Strips standards will be the recommended for reducing sediment and erosion along sloughs and ditches (except v-ditches.)

Action 3 - AFO/CAFO Management Measures

EPA proposed new NPDES rules for Concentrated Animal Feeding Operations (CAFO's) on December 15, 2000. The new rules will re-define (1) what type of animal feeding operations are a CAFO and need NPDES permit coverage, and (2) change the current surface water effluent limitations and other permit requirements.

While Ecology has a significant amount of data on the number, size and distribution of dairy farms, similar information is not readily available for other types animal feeding operations including beef cattle, poultry, hogs, and horses.

Attempts have been made to obtain such information from the state Department of Agriculture and state Department of Revenue. The data received thus far from these sources are of questionable accuracy and, thus, of little help determining the resource/workload impact of the proposed rule. Local and federal conservation agencies that may have more accurate information historically have been resistant to providing the information citing Freedom of Information restrictions.

In coming months we hope to rectify the data discrepancy. As a result our schedule has slid. We have not had any discussions to date with producer groups, but have discussed the upcoming regulations with several agencies.

We are also somewhat confused about the relationship of the national AFO/CAFO rule and our CZARA program. We understand that there should be consistency, but due to the delays in the national rule making, we are hesitant to move forward with our program development until our questions have been addressed. A meeting has been requested with Peyton Robertson to discuss our next steps.

Action 4 - Pesticides Management Measures

We have completed our review of the Pesticide Management Measure including comments from EPA and NOAA. The chapter is being re-written and appropriate citations from the training manual Washington Pesticide Laws and Safety: a guide to safe use and handling for applicators and dealers will be included. In addition, we will be including descriptions of a number of other programs recently initiated in the state. We should complete the next draft of this document by early September 2001.

Activities to address the Nutrient Management Measure have been deferred for the time. We will re-start that work in October 2001. We believe that the primary focus of this effort will be to do a better job of documenting the programs, practices and standards that currently exist in the state.

Action 5 Marinas and Boats

Activities to address this action were limited to work on the fish waste advisory. We contacted Washington Fish and Wildlife about adding a notice in their fishing regulation pamphlet. We are awaiting their response, but do not feel this request will be a problem. We are also looking at including similar language in a Washington State Boaters Guide if there is a reprinting done of that document. Staff is currently seeking funding to produce and update for broad circulation.

We believe that the State's Boat Yard General Permit will satisfy the stormwater requirements associated with management measure IIE. This needs further analysis. We are also looking into the question of water quality assessment MM (IIB) and trying to determine the best approach to collection of ambient water quality data. At the current time we have no information to indicate that a water quality problem exists in marinas

around the state. We may pursue a project to evaluate the situation on a one-time basis to see if additional program enhancement is needed in the future.

Action 6 Coordination and Management

The focus of this activity has been in overseeing the agricultural activities and ensuring that they are meeting our CZARA requirements. We have also done some careful planning for current and future management measures work done by other programs. The situation was complicated by last minute funding decisions by Congress and the connection with 319 funding necessitating a re-programming of resources to complete the CZARA tasks. We have made arrangements with the SEA program to address most of the remaining issues in Hydromodification, Wetlands and Riparian, and issues related to sensitive areas. David Roberts handled the coordination with help from Dave Peeler and Joe Witczak.

Additional CZARA Activities - Onsite Management Measures

In lieu of previous commitments, some effort was put towards the two Onsite Management measures. Here is a summary our progress and game plan for completion of the program submittal.

NOAA and EPA expressed concern about Washington's Onsite Management Measures primarily due to lack of evidence concerning nutrient limited waters. It is our understanding that we need to identify any nutrient limited waters and determine that the programs in place to control the installation and maintenance of onsite systems are sufficient to prevent water quality problems from occurring.

Over the last few months we have been reviewing data from around Puget Sound with an eye towards identifying areas that have nutrient (particularly nitrogen) enrichment problems. Our Environmental Assessment Program has produced data and a simple model allowing us to evaluate a variety of areas around the sound where we have ambient monitoring sites. From this process we were able to determine which areas are likely to have anthropogenic sources leading toward nitrogen enrichment.

Our current efforts are focused on narrowing this list down to those areas where onsite systems may be a source of current problems. First we will identify areas with significant sources of point source pollution. Secondly, we will assess the likelihood of agricultural and stormwater contributions. Once the list has been narrowed we will examine local onsite installation, maintenance and control efforts, and consider the adequacy of these efforts. If we find programs that are inadequate we will examine the needs of those communities and make recommendations for additional funding for program upgrades in the future.

We estimate these final steps will take us about 2 more months and plan to have the onsite chapter written and submitted in September 2001.

State Of Washington
Department Of Ecology
Shorelands And Environmental Assistance Program

Coastal Zone Management
Section 306, 306A, 309 and 6217 Grant

Federal Fiscal Year 2000
Grant Award No. NA07OZ0137

Section "B"

Semiannual Report
For the period January 1, 2001 through June 30, 2001

2ND Semi-Annual Report

July 2001

Table 1. Shoreline Permits — January 1, 2001- June 30, 2001

County	Region	SDPs ¹	CUPs ²	VARs	CUPs Denied ³	VARs Denied	Total Projects ⁴
Island	NW	08	2	0	0	0	08
King	NW	54	0	4	0	0	57
Kitsap	NW	06	4	0	0	0	06
San Juan	NW	15	6	6	2	0	21
Skagit	NW	14	2	5	0	0	16
Snohomish	NW	22	3	2	0	0	23
Whatcom	NW	12	5	4	0	0	16
Clallam	SW	03	1	0	0	0	3
Grays Harbor	SW	06	3	2	0	0	10
Jefferson	SW	06	3	0	0	0	06
Mason	SW	07	4	0	0	0	07
Pacific	SW	11	0	1	0	0	12
Pierce	SW	24	6	5	0	0	30
Thurston	SW	11	6	0	0	0	11
Wahkiakum	SW	0	0	0	0	0	0
TOTAL		199	45	29	2	0	226

¹ Substantial Development Permits² Conditional Use Permits³ Variances⁴ Total permitted projects (NOTE: Some projects have multiple shoreline permits)

Table 2. Shorelines Hearings Board Cases

Ecology as Respondent	5
Ecology as Appellant	0
Ecology not a Party	4
Total Appeals	9

Table 3. Shoreline Enforcement Actions

Formal Enforcement Actions	Notice of Correction	Orders to Restore or Abate	Penalties Issued	Totals For Reporting Period
Joint State and Local Government		0		
State (Ecology)		1	1	2

Table 4. Shoreline Master Program Amendments

Approved	Approved with Conditions	Denied	Pending
2	1	0	3

Table 6. Federal Licenses And Permits - Section 307(C)

Federal Permitting Agency	Type Of Permit	Number of Concurrences	Non- Compliance W/ST Program	Pending State Approval	Pending State/Local Review	Review Time	Court Cases	Permits Received	Average Process Time
ACOE	S404/NWP	256		72					180 days
FERC									

Table 7. Federal Assistance To State And Local Governments - Section 307(D)

Federal Agency	Type of Assistance	Number of Applications	Number of Concurrences	Insufficient Information	Inconsistent with State	Concurrence After Modifications	Total Pending	Total Received	Average Processing Time
Rural Development	Community Assistance	14	10				4	14	25 days

Coastal Zone Management
Washington State Department of Ecology
Local Grants – 2000-2001 Interim Semi-Annual Progress Report
Reporting Period 1/1/2001 – 6/30/2001

Recipient	Type	Project Officer	Comments
Aberdeen, City of E.Aberdeen Waterfront Walkway Aberdeen Landing Segment	CZM306A Pending	Jeff Stewart Start Date: End Date:	Federal project approval received June 11, 2001. Recipient was notified as of 6/18/01 that work can begin.
Bainbridge Island, City of Taylor Avenue Shoreline Access Project	CZM 306 G0100026	Sandra Lange Start Date: 7/1/2000 End Date: 6/30/2001	Project Coordinator changed as of 1/18/2001 from Lita Myers to Terry Ash Semi-Annual Report received dated 1/20/2001 Received Semi Annual Progress report 7/20/2001 Topographic and Right-of-Way Location Survey completed for Taylor Road End, working on issues of parking access, public dock use, and co-ordination with the National Historical Landmark citizens group
Blaine, City of Maine Boardwalk Pre-construction Planning	CZM 306 G0100036	Barry Wenger Start Date: 7/1/2000 End Date: 6/30/2001	All tasks have been completed and are entirely satisfactory. The one exception, due to a landscape architect oversight, is the final plan drawings which have been postponed until August 31 st via a letter amendment approved by Ecology.
Everson, City of SMP / GMA Update and Integration	CZM 306 G0100035	Barry Wenger Start Date: 7/1/2000 End Date: 6/30/2001	All tasks were completed in a timely and professional manner. The SMP and GMA integration was completed and final SMP review is subject to a Path B inventory and analysis being completed this year
Island Co. / WSU Beach Watchers 2000-2001 Beach Watchers Volunteer Training Program	CZM 306 G0100002	Alice Schisel Start Date: 7/1/2000 End Date: 6/30/2001	The recipient put a new class of 20+ very enthusiastic volunteers through 100 hours of training this spring. The Water Festival was again a great success in May. Also in May, Beach Watchers hosted a meeting with Ecology and Island County personnel to discuss their monitoring programs, in particular their plans for entering historic data into the much enhanced database and making data collected by their volunteers more helpful to potential users. Ideas exchanged at the meeting should result in improved data collection using geographic coordinates and more targeted data analysis.

Coastal Zone Management
Washington State Department of Ecology
Local Grants – 2000-2001 Interim Semi-Annual Progress Report
Reporting Period 1/1/2001 – 6/30/2001

Recipient	Type	Project Officer	Comments
Marysville, City of Critical Areas Study for the N. Marysville Subarea Plan	CZM306 G0100024	Erik Stockdale Start Date: 7/1/00 End Date: 6/30/01	Project has been extended to 9/30/01. Wetland and stream inventory work is done; water quality sampling and testing is done; second draft of report released to City 7-10-01. Study has revealed that a fairly large portion of the subarea may be constrained by 13 large wetlands (totaling approx. 600-800 acres). Many of these wetlands are farmed wetlands and will likely be determined to be "prior converted croplands" and thus escape federal wetland regulation. The wetlands are still subject to State and local regulation. The value of this study will prove to be invaluable as the City moves forward in evaluating zoning potential to the area. Absent the study the City may have designated wetlands for higher density development than they will do so as a result of the study.
Mukilteo, City of Ph.3: Shoreline & Critical Areas Plan & Regulatory Update	CZM306 G0100065	Bob Fritzen Davis Start Date: 7/1/00 End Date: 6/30/01	The City of Mukilteo has contracted with a consultant to assist in the drafting of the Critical Areas and Shoreline Plan. An outline has been under development for several months in order to create a plan that matches up with the Comprehensive Plan and other local regulations. They are proceeding with revisions on the wetland code. Public outreach has been coordinated with the Snohomish County Marine Resources Committee (MRC). Grant agreements have been fulfilled.
Pacific County Public Education & Involvement in Bio- Intensive Spartina Control	CZM306 G0100001	Perry Lund Start Date: 7/1/00 End Date: 6/30/01	Through the Columbia Pacific Resources Center, there have been several excellent newsletters produced, public workshops, landowner outreach efforts, and a technical presentation to the Society of Wetland Scientists and other groups.
Port of Peninsula Residential Education – SMP Process	CZM 306 Pending	Randy Davis Start date: End Date:	Project terminated

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Port Townsend, Port of Site Planning & Design for the NW Maritime Center	CZM306 G0100064	Jeff Stewart Start Date: 7/1/00 End Date: 6/30/01	Substantially complete; extensive planning & public involvement activities have led to an exciting, versatile, and also ambitious design for a mix of water dependent and water enjoyment uses. Lots of public access and marine education. Report deliverables of high quality & detail in draft, finals expected any day.
Poulsbo, City of Oyster Plan Park Development	CZM 306A G0100076	Sandra Lange Start date: 6/11/2001 End Date: 11/30/2001	Federal project approval received June 11, 2001. Agreement is in for local signature as of 6/11/01.
Quinault Indian Nation Ph.2 Planning: Ocean Shores Marina Public Access Trail	CZM 306 G0100053	J.Sohneronne Start date: 7/1/00 End Date: 8/31/01	Received 3 copies of final report and plans on 5/3/01. Expect to complete my review by 6/29/01.
Snohomish County Snohomish County Marine Resources / A Community Outreach and Education Program	CZM 306 G0100034	Sharon Riggs Start date: 7/1/00 End Date: 6/30/01	Identified locally important marine resources, developed MRC brochure insert, fact sheets, website, created multi-media presentation, planned and conducted five public meetings for the MRC, compiled and distributed comments from all five public meetings. Through this education effort, a large number of citizens were contacted and will provide support for marine issues in the future.
Snohomish, City of Snohomish River Bank Restoration Plans	CZM306 G0100021	J. Velikanje Start date: 7/1/00 End Date: 6/30/01	Grant deadline has been extended to September 30, 2001. Construction documents are at 60% completion. After review by Ecology, consultant will complete plans and specifications that are scheduled for completion by August 31, 2001.
Sumner, City of SMP Comprehensive Update	CZM 306 G0100086	Randy Davis Start Date: 7/1/00 End Date:	Project was amended to delete Task 3, public participation. The City has placed additional emphasis on the recently completed shoreline inventory and environmental assessment. The end date has been extended until September 30, 2001

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Recipient	Type	Project Officer	Comments
		6/30/01	
Willapa Harbor, Port of Tokeland Public Fishing Pier Refurbishment	CZM306A G0200075	Kim Van- Zwalenburg Start Date: Pending End Date:	Federal project approval received June 11, 2001. Recipient was notified as of 6/18/01 that work can begin.
Woodway, Town of SMP Development	CZM306 G0100039	Bob Fritzen Start Date: 7/1/00 End Date: 6/30/01	The City has completed writing it's Path B, SMP amendment. Final review is currently underway by the City Council. Local adoption is expected by early September.

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